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Attorneys for Plaintiff

**ROBB EVANS OF ROBB EVANS & ASSOCIATES  
LLC AS RECEIVER**

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

ROBB EVANS OF ROBB EVANS &  
ASSOCIATES LLC as Receiver for I Works,  
Inc. and other entities as defined in the  
Preliminary Injunction Order entered February  
10, 2011, and over the assets of Jeremy  
Johnson,

Plaintiff,

v.

ARVIN LEE BLACK, II, et al.,

Defendants.

Case No. 2:12-CV-01860-RCJ-PAL

**STIPULATION TO EXTEND TIME TO  
RETURN WAIVERS OF SERVICE OF  
SUMMONS AND RESPOND TO  
COMPLAINT FOR DEFENDANTS  
KADE K. ENCE, KIM C. ENCE, JESSE  
KIMBALL AND RICHARD KIMBALL**

[First Request for Extension of Time]

This Stipulation to Extend Time to Return Waivers of Service of Summons and to  
Respond to Complaint for Defendants Kade K. Ence, Kim C. Ence, Jesse Kimball and Richard  
Kimball ("Stipulation") is entered into by and among Robb Evans of Robb Evans & Associates

1 LLC ("Plaintiff"), the Receiver over I Works, Inc. and over 60 other named Defendant Entities, as  
 2 well as unnamed subsidiaries and affiliates thereof, and over the assets of Jeremy Johnson  
 3 (collectively, the "Receivership Defendants"), and defendants Kim C. Ence, Kade K. Ence, Jesse  
 4 Kimball and Richard Kimball (collectively "Defendants"), by and through their counsel with  
 5 reference to the following facts:

#### 6 RECITALS

7 A. The Plaintiff was appointed Temporary Receiver pursuant to a Temporary  
 8 Restraining Order issued on January 13, 2011 in the civil enforcement action entitled Federal  
 9 Trade Commission v. Jeremy Johnson, etc., et al., Case No. 2:10-cv-02203-MMD-GWF pending  
 10 in the United States District Court for the District of Nevada ("FTC Action"). The Plaintiff  
 11 became Permanent Receiver pursuant to a Preliminary Injunction Order issued on February 10,  
 12 2011. (The Court in the FTC Action is referred to as the "Receivership Court.")

13 B. On October 30, 2012, Plaintiff filed the Complaint in the above-captioned action.

14 C. On January 11, 2013, Plaintiff mailed Notices of Lawsuit and Requests for Waiver  
 15 of Service of Summons to Defendants.

16 D. Pursuant to the Stipulation Regarding Arvin Lee Black, Jr. and Sole Group LLC  
 17 Litigation and Order Thereon, approved by the Receivership Court on August 21, 2012,  
 18 Defendants had until March 12, 2013 to return the Waivers of Service of Summons to Plaintiff.

19 E. Defendants have requested additional time to return the executed Waivers of  
 20 Service of Summons to Plaintiff and to respond to the Complaint.

21 F. This Stipulation represents Defendants first request for an extension of time to  
 22 respond to the Complaint.

23 NOW, THEREFORE, in consideration of the foregoing, the parties hereto do stipulate and  
 24 agree as follows:

25 1. The deadline for the Defendants, and each of them, to return executed Waivers of  
 26 Summons of Service to Plaintiff shall be extended to and including March 18, 2013.

27 2. The deadline for the Defendants, and each of them, to respond to the Complaint  
 28 shall be extended to and including March 18, 2013.

1 WHEREFORE, the parties pray this Honorable Court endorse this Stipulation as outlined  
2 herein and set forth below.

3  
4 Dated: March 12, 2013

RANDOLPH L. HOWARD  
KOLESAR & LEATHAM, CHTD.

MCKENNA LONG & ALDRIDGE LLP  
GARY OWEN CARIS  
LESLEY ANNE HAWES  
ANGELA E. FONES

8  
9 By: Angela E. Fones  
Angela E. Fones

10 Attorneys for Receiver  
11 **ROBB EVANS OF ROBB EVANS &  
ASSOCIATES LLC**

12  
13  
14  
15 Dated: March \_\_\_\_, 2013

BARNEY MCKENNA & OLMSTEAD, P.C.

16  
17 By: \_\_\_\_\_  
Eric Olmstead  
18 Attorneys for **KADE K. ENCE, KIM C.  
ENCE, FINANCIAL CONSULTING, LLC,  
19 KCE FAMILY TRUST DATED  
20 SEPTEMBER 30, 2010, JESSE KIMBALL  
AND RICHARD KIMBALL**

21  
22  
23 ORDER

24 IT IS SO ORDERED.

25  
26 DATED: \_\_\_\_\_

27 \_\_\_\_\_  
ROBERT C. JONES  
28 UNITED STATES CHIEF DISTRICT JUDGE

1 WHEREFORE, the parties pray this Honorable Court endorse this Stipulation as outlined  
2 herein and set forth below.

3  
4 Dated: March \_\_\_\_, 2013

RANDOLPH L. HOWARD  
KOLESAR & LEATHAM, CHTD.

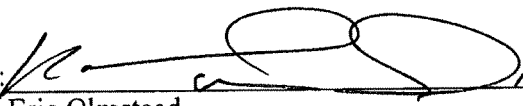
MCKENNA LONG & ALDRIDGE LLP  
GARY OWEN CARIS  
LESLEY ANNE HAWES  
ANGELA E. FONES

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7  
8  
9 By: \_\_\_\_\_  
Angela E. Fones

10 Attorneys for Receiver  
11 **ROBB EVANS OF ROBB EVANS &**  
12 **ASSOCIATES LLC**

13  
14  
15 Dated: March 12, 2013


BARNEY MCKENNA & OLMSTEAD, P.C.

16  
17 By:  11740  
Eric Olmstead  
18 Attorneys for **KADE K. ENCE, KIM C.**  
19 **ENCE, FINANCIAL CONSULTING, LLC,**  
20 **KCE FAMILY TRUST DATED**  
21 **SEPTEMBER 30, 2010, JESSE KIMBALL**  
22 **AND RICHARD KIMBALL**

23 ORDER

24 IT IS SO ORDERED.

25  
26 DATED: March 15, 2013

  
27 Peggy A. Leen  
28 United States Magistrate Judge

**CERTIFICATE OF SERVICE**

I am a citizen of the United States and employed in San Francisco County, California. I am over the age of eighteen years and not a party to the within-entitled action. My business address is 101 California Street, 41<sup>st</sup> Floor, San Francisco, California, 94111.

On March 12, 2013, I served the **STIPULATION TO EXTEND TIME TO RETURN WAIVERS OF SERVICE OF SUMMONS AND RESPOND TO COMPLAINT FOR DEFENDANTS KADE K. ENCE, KIM C. ENCE, JESSE KIMBALL AND RICHARD KIMBALL** upon the parties and/or counsel listed and by the methods indicated on the attached Service List.

I declare upon the penalty of perjury that the foregoing is true and correct, and that I am employed in the office of a member of the bar of this Court at whose direction the service was made. Executed on March 12, 2013, at San Francisco, California.

/s/ Camilla Glover  
Camilla Glover

**SERVICE LIST**

The following CM/ECF participants were served by electronic means on March 12, 2013:

Gary Owen Caris	gcaris@mckennalong.com, lhawes@mckennalong.com, twaters@mckennalong.com
Lesley Anne Hawes	lhawes@mckennalong.com, gcaris@mckennalong.com, twaters@mckennalong.com
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Shlomo S. Sherman	ssherman@klnevada.com, bbroussard@klnevada.com, ckishi@klnevada.com, usdistrict@klnevada.com

The following non-CM/ECF participants were served by first-class mail, postage prepaid on March 12, 2013:

Justin D. Heideman	Tony Zockoll
Heideman, McKay & Heugly, PLLC	2920 Ebony Circle
2696 N University Ave, Suite 180	St. George, UT 84790
Provo, UT 84604	